

COMPLAINT INVESTIGATION SUMMARY

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| COMPLAINT NUMBER: | 1633.00 |
| COMPLAINT INVESTIGATOR: | Jane Taylor-Holmes |
| DATE OF COMPLAINT: | October 5, 2000 |
| DATE OF REPORT: | October 26, 2000 |
| REQUEST FOR RECONSIDERATION: | no |
| DATE OF CLOSURE: | November 16, 2000 |

COMPLAINT ISSUES:

Whether the Westfield-Washington Schools and the Hamilton-Boone-Madison Special Services violated:

511 IAC 7-23-1(f) with regard to the school's alleged failure to provide the parent access to the school's audio tape recording of the September 6, 2000, case conference committee meeting which is part of the student's educational record.

511 IAC 7-27-4 with regard to the school's alleged failure to reconvene the case conference committee meeting as agreed within three to four weeks of the case conference committee meeting conducted on September 6, 2000.

FINDINGS OF FACT:

1. The student (the "Student") is thirteen years old and is eligible for special education and related services as a student with autism, an emotional handicap, and a communication disorder. The Student is in the eighth grade and attends an alternative school.
2. The case conference committee (the "CCC") met on September 6, 2000, to revise the Student's *IEP* and to review the alternative services plan. The CCC meeting was tape-recorded.
3. The Complainant contends that the Director promised her a copy of the tape recording.
4. The Director reported that the original tape recording of the CCC meeting was sent to the special education office's technical support section on September 7, 2000, for the purpose of copying. The original copy and the copy for the Complainant were received by the Director on October 5, 2000. The copy was mailed to the Complainant on October 6, 2000.
5. As of October 20, 2000, the Complainant had received her copy of the tape recording of the September 6, 2000, CCC meeting.
6. The *CCC Report/IEP* written at the September 6, 2000, CCC meeting states, "[Student] and [Complainant] both have an interest in working toward a re-integration at [local school] possibly 2nd semester for [Student]." The *CCC Report/IEP* also states that the child service coordinator discussed the "need to reconvene at some point to plan for a transition."
7. There are no specific dates, nor any reference written in the *CCC Report/IEP* with regard to the

CCC reconvening within three to four weeks of the September 6, 2000, CCC meeting.

CONCLUSIONS:

1. Findings of Fact #2, #3, #4, and #5 indicate that the Student's September 6, 2000, CCC meeting was tape-recorded, and that the Complainant had received her copy of the tape before October 20, 2000, which was within the 45 calendar day timeline, as indicated in Article 7. No violation of 511 IAC 7-23-1(f) occurred.
2. Findings of Fact #2, #6, and #7 indicate that the *CCC Report/IEP* written at the Student's September 6, 2000, CCC meeting did not contain any reference to a specific date or make mention of the CCC reconvening within three to four weeks of the CCC meeting. No violation of 511 IAC 7-27-4 occurred.

The Department of Education, Division of Special Education requires no corrective action based on the Findings of Fact and Conclusions listed above.